

## **REMARKS**

Claims 1-18 are pending in the Application, while claims 1-2, 7-8, and 14 were rejected. Claims 3-6, 9-13, and 15-18 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In the claim amendments, claims 8, and 14-18 have been amended. Support for the amendment can be found in the entire specification. No new matter has been added by the amendments. Reconsideration and allowance of the claims are respectfully requested in view of the above claim amendments and the following remarks.

### ***Claim Rejections Under 35 U.S.C. §102***

Claims 1-2, 7-8, and 14 were rejected under 35 U.S.C. §102(e) as being anticipated by Jin et al., US2002/0078764 (hereinafter “Jin”) for the reasons stated on pages 2-3 of the Office Action.

Applicants respectfully direct the Examiner’s attention to note that Jin may readily be disqualified as reference under 35 U.S.C. §102(e). In this instance, Applicants further direct the Examiner’s attention to the Declaration pursuant to 37 CFR 1.132 filed herewith. This declaration indicates that Fumihiko ABE; Dongzhi Jin; and Kengo TANAKA are inventors of the instant patent application and that they conceived of or invented the subject matter disclosed in Jin, relied upon by the Examiner for rejection of the claims 1-2, 7-8, and 14 herein under 35 USC §102(e). References Jin is therefore disqualified as prior art under 35 USC §102(e).

Therefore, claims 1-2, 7-8, and 14 are believed to be allowable. Withdrawal of the claim rejections is respectfully requested.

### ***Claim Objections***

Claim 8 was objected to because of the following informalities: No positive method steps are explicitly recited therein. Claim 8 has been amended to recite positive method steps. Withdrawal of the claim objections is respectfully requested.

***Conclusion***

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By: 

Soonja Bae

Registration No.(See Attached)

Confirmation No. 4669

Cantor Colburn LLP

55 Griffin Road South

Bloomfield, CT 06002

PTO Customer No. 23413

Telephone: (860) 286-2929

Facsimile: (860) 286-0115

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